REMARKS

Applicant has carefully reviewed the Office Action dated October 5, 2004. Claims 1-17 are pending in this application. Applicant has amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-17 were rejected under 35 U.S.C. 103(b) over *Ruiz* in view of *Jorgensen*.

Claim 1, as amended, recites a "non-compliant medical balloon, where the non-compliant medical balloon may be changed from a deflated state to an inflated state by increasing pressure applied to an interior surface of the balloon and that: "the interior surface area of the non-compliant medical balloon remains substantially unchanged when the balloon changes from a deflated state to an inflated state."

Ruiz discloses "a balloon element 12 and sheath 13 having expandable but non-compliant mesh 14 disposed over balloon element 12." (Column 3, lines 57-59) When any compliant balloon is inflated, the interior surface area of the compliant balloon will necessarily increase when the balloon changes from a deflated state to an inflated state.

Jorgensen discloses:

> "A balloon 22 formed of an elastomeric skin 24 is secured to the tubes of the catheter. As shown, the proximal end of the balloon is secured to the outer diameter of tube 14, while the distal end of the balloon is secured to the outer diameter of tube 12. Balloon 22 is shown in its fully expanded state. Inflation lumen 20, which is in fluid communication with the interior volume of the balloon, allows such balloon to be inflated from a diameter D.sub.defL (non-inflated) to a diameter D.sub.infL (fully inflated). Referring to FIGS. 2 and 3, a constraining structure 26 is affixed to skin 24. Column 3, lines 25-35.

In *Jorgensen* as well as *Ruiz*, a compliant balloon is inflated within a non-compliant structure to limit the inflated diameter of the balloon. When the compliant balloon is inflated, the interior surface area of the compliant balloon is changed.

As such, neither *Ruiz* nor *Jorgensen*, nor any combination of the disclosures, teaches applying pressure to an interior surface of a balloon where the interior surface area of the balloon remains

substantially unchanged. Applicant, therefore, respectfully request that the rejection of Claims 1-17 under *Ruiz* in view of *Jorgensen* be withdrawn.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/FMED-26,554 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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